

SUMMONS (CITACION JUDICIAL)

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

NOTICE TO DEFENDANT:

(AVISO AL DEMANDADO):

Michael Richards; Adam Sandler; Fremantle Media North America; and
DOES 1 through 25, inclusive

YOU ARE BEING SUED BY PLAINTIFF:

(LO ESTÁ DEMANDANDO EL DEMANDANTE):

Lanisha Cole

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case.

¡AVISO! Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:

(El nombre y dirección de la corte es):

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Central

111 North Hill Street, Los Angeles, CA 90012

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:

(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

Solomon E. Gresen (Bar # 164783)

Fax No.: (818) 815-2737

Law Offices of Rheuban & Gresen, 15910 Ventura Boulevard, Suite 1610, Encino, CA 91436 Phone No.: (818) 815-2727

DATE:

(Fecha)

Clerk, by

(Secretario)

, Deputy

(Adjunto)

CASE NUMBER:
(Número del Caso):

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

[SEAL]

NOTICE TO THE PERSON SERVED: You are served

1. ☐ as an individual defendant.
2. ☐ as the person sued under the fictitious name of (specify):
3. ☐ on behalf of (specify):

under: ☐ CCP 416.10 (corporation)	☐ CCP 416.60 (minor)
☐ CCP 416.20 (defunct corporation)	☐ CCP 416.70 (conservatee)
☐ CCP 416.40 (association or partnership)	☐ CCP 416.90 (authorized person)
☐ other (specify):	
4. ☐ by personal delivery on (date):

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):

Solomon E. Gresen (Bar # 164783)

Law Offices of Rheuban & Gresen

15910 Ventura Boulevard, Suite 1610

Encino, CA 91436

TELEPHONE NO.: (818) 815-2727

FAX NO.: (818) 815-2737

ATTORNEY FOR (Name): Lanisha Cole, Plaintiff

FOR COURT USE ONLY

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

STREET ADDRESS: 111 North Hill Street

MAILING ADDRESS:

CITY AND ZIP CODE: Los Angeles 90012

BRANCH NAME: Central

CASE NAME:

Cole v. Richards, Sandler et al.

CIVIL CASE COVER SHEET

☒ **Unlimited**
(Amount
demanded
exceeds \$25,000)

☐ **Limited**
(Amount
demanded is
\$25,000 or less)

Complex Case Designation

☐ **Counter** ☐ **Joinder**
Filed with first appearance by defendant
(Cal. Rules of Court, rule 3.402)

CASE NUMBER:

JUDGE:

DEPT:

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

Auto Tort

☐ Auto (22)
☐ Uninsured motorist (46)

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort

☐ Asbestos (04)
☐ Product liability (24)
☐ Medical malpractice (45)
☐ Other PI/PD/WD (23)

Non-PI/PD/WD (Other) Tort

☐ Business tort/unfair business practice (07)
☐ Civil rights (08)
☐ Defamation (13)
☐ Fraud (16)
☐ Intellectual property (19)
☐ Professional negligence (25)
☐ Other non-PI/PD/WD tort (35)

Employment

☒ Wrongful termination (36)
☐ Other employment (15)

Contract

☐ Breach of contract/warranty (06)
☐ Rule 3.740 collections (09)
☐ Other collections (09)
☐ Insurance coverage (18)
☐ Other contract (37)

Real Property

☐ Eminent domain/Inverse condemnation (14)
☐ Wrongful eviction (33)
☐ Other real property (26)

Unlawful Detainer

☐ Commercial (31)
☐ Residential (32)
☐ Drugs (38)

Judicial Review

☐ Asset forfeiture (05)
☐ Petition re: arbitration award (11)
☐ Writ of mandate (02)
☐ Other judicial review (39)

Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403)

☐ Antitrust/Trade regulation (03)
☐ Construction defect (10)
☐ Mass tort (40)
☐ Securities litigation (28)
☐ Environmental/Toxic tort (30)
☐ Insurance coverage claims arising from the above listed provisionally complex case types (41)

Enforcement of Judgment

☐ Enforcement of judgment (20)

Miscellaneous Civil Complaint

☐ RICO (27)
☐ Other complaint (not specified above) (42)

Miscellaneous Civil Petition

☐ Partnership and corporate governance (21)
☐ Other petition (not specified above) (43)

2. This case ☐ is ☒ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:

- a. ☐ Large number of separately represented parties
b. ☐ Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve
c. ☐ Substantial amount of documentary evidence
d. ☐ Large number of witnesses
e. ☐ Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
f. ☐ Substantial postjudgment judicial supervision

3. Remedies sought (check all that apply): a. ☒ monetary b. ☐ nonmonetary; declaratory or injunctive relief c. ☒ punitive

4. Number of causes of action (specify): SEVEN (7)

5. This case ☐ is ☒ is not a class action suit.

6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: September 6, 2011

Solomon E. Gresen

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Page 1 of 2

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STEVEN V. RHEUBAN [SBN 143787]
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Attorneys for Plaintiff Lanisha Cole

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

LANISHA COLE,

Plaintiff,

vs.

MICHAEL RICHARDS, ADAM SANDLER,
FREMANTLE MEDIA NORTH AMERICA,
and DOES 1 through 25, inclusive,

Defendants.

) Case No.

) COMPLAINT FOR DAMAGES

1. **Wrongful Constructive Termination**
[Government Code §§12940 (a) and (h)];
2. **Wrongful Retaliation**
[Government Code §12940 (h)];
3. **Wrongful Sexual Harassment**
[Government Code §12940 (j)];
4. **Failure to Take Reasonable Steps to Prevent Harassment or Discrimination**
[Government Code § 12940 (j) and (k)];
5. **False Imprisonment**
6. **Intentional Infliction of Emotional Distress**
7. **Negligent Infliction of Emotional Distress**

DEMAND FOR JURY TRIAL

COMES NOW PLAINTIFF LANISHA COLE, WHO ALLEGES AS FOLLOWS:

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1 5. The true names and capacities, whether individual, corporate, associate or otherwise,
2 of Defendants named herein as DOES 1-25 are unknown to Plaintiff, who therefore sues said DOE
3 Defendants by said fictitious names. Plaintiff is informed, believes, and thereon alleges that each of
4 said DOE Defendants are negligently or otherwise responsible in some manner for the events and
5 happenings herein referred to, and negligently or otherwise caused injuries and damages
6 proximately thereby to Plaintiff. Plaintiff will pray for leave to amend this Complaint to substitute
7 the specific names of said DOES 1-25 and to specify their negligent acts as they become known by
8 her.

9 6. Plaintiff is informed, believes and thereon alleges that at all relevant times
10 mentioned herein, all Defendants, and each of them, were the officers, directors, brokers, agents,
11 contractors, advisors, servants, partners, joint venturers, employees, and/or co-conspirators of their
12 Co-Defendants and were acting within the scope of their authority as such agents, contractors,
13 advisors, servants, partners, joint venturers, and employees with the permission and consent of their
14 Co-Defendants. Each Defendant, as aforesaid, was acting as a principal, and was involved in the
15 selection, consultation, training and/or hiring of each and every other participant in the relevant
16 events herein.

17 ALLEGATIONS COMMON TO ALL CAUSES OF ACTION

18 7. Plaintiff was hired by FMNA in February 2003 as a model on TPIR. At all times
19 herein mentioned, Plaintiff performed her duties as a TPIR model in a professional and competent
20 manner.

21 8. Beginning in or about December 2009, Defendant Richards began to treat Plaintiff
22 differently than the other TPIR models. Specifically, without limitation, Defendant Richards
23 refused to speak with Plaintiff about anything, work related or not, under any circumstance.
24 Instead, Plaintiff is informed that Defendant Richards sent messages, notes and comments to her
25 using staff and other models as messengers. Plaintiff is informed and believes that none of the other
26 TPIR models were ignored by Defendant Richards or given notes in this manner.

27 9. This dramatically changed the atmosphere in the workplace for Plaintiff. Instead of
28 receiving direction from the Producer of the show (Defendant Richards), Cole was now receiving

1 direction second and third hand from coworkers and fellow models. Sometimes Plaintiff received
2 no direction at all. As a result, Plaintiff's work atmosphere went from one of certainty, in that she
3 generally knew what was expected of her, to one of great uncertainty where she became unsure of
4 whether she was doing something wrong. Defendant Richards' refusal to speak with her seemed a
5 constant rebuke, and Plaintiff's health began to suffer greatly.

6 10. Plaintiff later learned that Defendant Richards had entered into a close, personal and
7 intimate relationship with another TPIR model, Amber Lancaster (hereinafter referred to as
8 "Lancaster"), beginning in or about January or February of 2009, which continued at least through
9 the Fall of year 2010. On numerous occasions, Lancaster showed Plaintiff text and other messages
10 from Defendant which were stored on Lancaster's telephone, many of which Lancaster claimed
11 were personal in nature. Plaintiff became alarmed by this, as no other TPIR model enjoyed the
12 same free and easy access to Defendant Richards as did Lancaster, who Plaintiff is informed
13 frequently socialized with Defendant Richards outside of work, and Defendant Richards was not
14 speaking to Plaintiff at this time at all.

15 11. On or about September 20, 2010, an event occurred which dramatically changed the
16 atmosphere at Plaintiff's workplace for the worse. On that day, Plaintiff performed a segment on
17 TPIR without wearing a microphone. While TPIR models usually wear microphones when
18 appearing on a particular segment, sometimes the time required to change from one costume to the
19 next leaves no time for the microphone to be properly fitted by the sound technician before the
20 segment begins. Because this occurs with regularity, the Host of TPIR is always prepared to
21 perform the bit without speaking with the models.

22 12. On this particular occasion, Plaintiff went without a microphone because her
23 costumes were unusually extravagant, and she needed more time to change. After the segment,
24 Plaintiff retreated to the women's dressing room to change. The women's dressing room is clearly
25 marked as such, and posted on the doors to the dressing rooms was a large, visible notice to
26 "KNOCK BEFORE ENTERING." To ensure additional privacy, curtains were hung between the
27 entrance door and the dressing room.

28 ///

1 13. Ignoring these signs, as well as the verbal and later physical protests of the several
2 women who were in the dressing room at the time, Defendant Sandler marched through door and
3 the curtains into the dressing room, walked straight to where Plaintiff Cole was changing outfits,
4 and began scolding her for her failure to wear a microphone on the last segment, though it was not
5 her responsibility, among other things. Plaintiff, however, was completely nude with the exception
6 of a very sheer thong bikini underwear of the type used theatrically for costumes such as she was
7 wearing. Defendant Sandler continued to verbally berate Plaintiff, while his eyes were free to look
8 at her exposed breasts and entire body.

9 14. Plaintiff was frozen with shock and humiliation during Sandler's tirade. Other TPIR
10 models who were in the dressing room were presumably in shock, as nobody attempted to interfere
11 with Defendant Sandler. Ultimately, after Sandler completed his tirade, Sandler stormed out of the
12 women's dressing room right by the assembled models, who then turned to comfort Plaintiff who,
13 by that time, was stunned and traumatized Sandler's actions. Immediately thereafter, FMNA Stage
14 Manager Tracy Eskander came into the dressing room and profusely apologized for Sandler's
15 behavior. As a manager for FMNA, Plaintiff is informed and believes that Ms. Eskander was
16 required to report the incident to FMNA.

17 15. On September 21, 2010, at Plaintiff's request, a meeting was held with human
18 resource ("HR") representatives of Defendant FMNA to discuss the sexual harassment lawsuit filed
19 by another TPIR model, Brandi Sherwood. During that meeting, Plaintiff made the decision to
20 speak with, and did later speak with FMNA HR representative Ellen Goldsmith about some of the
21 mistreatment she had suffered as described above, and the manner in which it had adversely
22 affected the workplace. At that time, though she hoped otherwise, Plaintiff feared that her
23 complaints would result in further harassment and retaliation.

24 16. On October 25, 2010, Plaintiff was called in to a meeting with Defendant Richards
25 and FMNA HR representatives to discuss her complaints. Plaintiff suffered an extreme physical
26 reaction during the TPIR show that day, and collapsed on the set. Plaintiff was later examined by a
27 company medic, and made the decision to attend to meeting and, hopefully, resolve some of the
28 intense anxiety she was suffering following her complaints to Ellen Goldsmith, as described above.

1 At the meeting, Plaintiff's work product was discussed in a very favorable manner, and Defendant
2 Richards apologized for his behavior. No mention was made of the favoritism being shown Ms.
3 Lancaster, as described above, nor was any discussion held concerning Defendant Sandler's
4 behavior. Because of this, Plaintiff is informed and believes that no investigation took place into
5 either Defendant Richards or Defendant Sandler's conduct, other than a discussion between FMNA
6 HR representatives and Defendant Richards. As of the date of the filing of the within complaint,
7 Plaintiff has received no information concerning the results or disposition of any such investigation.

8 17. Thereafter, on November 30, 2010, Plaintiff informed FMNA that she would be
9 unable to appear as scheduled on the December 6th show due to family commitments in New York,
10 but would return for work as scheduled on December 7th. The next day, Plaintiff received an email
11 message stating that, pursuant to company policy, work weeks will not be split when another TPIR
12 model is available for the entire work week. The true facts are, however, that there was no policy at
13 either FMNA or on the set of TPIR which stated such. In fact, there was no such policy in existence
14 at the time and, when Plaintiff Cole protested, FMNA admitted that no such policy existed.

15 18. In sharp contrast, Ms. Lancaster had often shown up late for work, missed
16 assignments entirely, and pursued her other acting and modeling opportunities at the expense of her
17 duties at TPIR without any adverse consequence or loss of future opportunity at TPIR. Plaintiff is
18 informed and believes that Ms. Lancaster was treated differently because of her intimate
19 relationship with Defendant Richards, and that Defendant Richards engaged in improper favoritism
20 as a result.

21 19. Upon her return from New York, on December 6, 2010, Plaintiff was asked to attend
22 a meeting to discuss matters relating to her employment. During that meeting, Plaintiff was accused
23 of "holding the show hostage" over the hostile working environment about which she had
24 complained. Plaintiff learned nothing about whether investigations had taken place, or whether any
25 remedial action had been imposed. In addition, Plaintiff's new complaints about the imposition on
26 her, and nobody else, of unknown and unstated policies (which did not, in fact, exist), were
27 disregarded and thereby minimized. Shortly after the meeting, Plaintiff had a severe physical
28 reaction to the stress and anxiety created by her employer's refusal to address her complaints and

1 their failure to treat her the same way as every other TPIR model (with the exception of Ms.
2 Lancaster). As a result, Plaintiff believed that she had no alternative but to quit, and she tendered
3 her resignation that day in writing.

4 20. On or about May 12, 2011, Plaintiff Cole filed a complaint (E201011T0623-00-sc)
5 with the California Department of Fair Employment and Housing ("DFEH") alleging "termination,"
6 "harassment," "constructive discharge," "denial of accommodation," "failure to prevent
7 discrimination or retaliation," "retaliation," and "interactive process" based on "sex," "race/color,"
8 "marital status," medical condition," and "retaliation for engaging in protected activity or requesting
9 a protected leave or accommodation." On or about June 24, 2011, Plaintiff received a Notice of
10 Case Closure/Right to Sue letter from the DFEH. Therefore, Plaintiff exhausted her administrative
11 remedies prior to filing the instant Complaint pursuant to California Government Code Section
12 12965. (True and correct copies of Plaintiff's DFEH Complaint and Right To Sue letters are
13 attached hereto collectively, marked as EXHIBIT A, and incorporated herein by this reference as
14 though fully set forth at length.)

15 **FIRST CAUSE OF ACTION**
16 **WRONGFUL CONSTRUCTIVE TERMINATION**
17 **(VIOLATION OF PUBLIC POLICY AND GOVERNMENT CODE**
18 **SECTIONS 12940 (a) and (h))**
19 ***(Against FMNA And DOES 1-25, Inclusive)***

20 21. Plaintiff refers to paragraphs 1 through 20, above, and incorporates those paragraphs
21 here by said reference, as though fully set forth in this section.

22 22. While working for FMNA, DOES 1-25, and each of them, and as specifically
23 described in detail above, Plaintiff was subjected to discrimination, retaliation and harassment based
24 on her sex ,gender and color, among other things. Plaintiff complained to Defendants, and each of
25 them, but nothing was ever done in response to her complaints. Ultimately, On December 6, 2010,
26 after Defendant FMNA, DOES 1-25, and each of their failure and refusal to properly investigate
27 Plaintiff's complaints of harassment and retaliation, or to properly consider Plaintiff's other claims
28 of disparate treatment in the creation and enforcement of "policies," Plaintiff believed she had no
reasonable alternative but to quit which, she is informed and believes, constitutes a constructive
termination.

1 23. Government Code section 12940 (a) embodies fundamental, substantial, and well-
2 established public policies of the State of California. FMNA, DOES 1-25, and each of them,
3 violated the fundamental, substantial, and well-established public policies embodied in Government
4 Code section 12940 (a) by discriminating against Plaintiff in compensation or in terms, conditions,
5 or privileges of employment based on color, sex or gender.

6 24. Government Code section 12940 (h) embodies fundamental, substantial, and well-
7 established public policies of the State of California. FMNA, DOES 1-25, and each of them,
8 violated the fundamental, substantial, and well-established public policies embodied in Government
9 Code section 12940 (h), by retaliating against Plaintiff because she complained about the
10 aforementioned wrongful acts forbidden under Government Code section 12940 (a).

11 25. While Government Code section 12940 (j) embodies fundamental, substantial, and
12 well-established public policies of the State of California. FMNA, DOES 1-25, and each of them,
13 violated the fundamental, substantial, and well-established public policies embodied in Government
14 Code section 12940 (j) by harassing Plaintiff as more fully described hereinabove.

15 26. Plaintiff is informed, believes, and thereon alleges that during her employment,
16 FMNA, DOES 1-25, and each of them, knowingly and willfully conspired and agreed among
17 themselves to cause Plaintiff to be discriminated against, retaliated against, and harassed, and
18 thereby to deprive Plaintiff of the benefits and privileges of her employment as more fully described
19 hereinabove. In so doing, Defendants, and each of them, violated the fundamental, substantial, and
20 well-established public policies embodied in Government Code section 12940 (i), by aiding,
21 abetting, inciting, compelling or coercing the doing of any of the acts forbidden under Government
22 Code section 12940 (a), (h), (j) or (k), or by attempting to do so.

23 27. Plaintiff is informed, believes, and thereon alleges that in addition to the practices
24 enumerated above, FMNA, DOES 1-25, and each of them, have engaged in other practices in
25 violation of the Fair Employment and Housing Act, including Government Code section 12940,
26 which are not yet fully known. At such time as said practices become known to her, Plaintiff will
27 seek leave of Court to amend this Complaint in that regard.

28 //

1 28. Plaintiff filed a complaint with the DFEH against Defendants, and each of them. The
2 DFEH issued Plaintiff a Right to Sue letter authorizing this lawsuit. (See **EXHIBIT A.**)

3 29. As a direct and proximate result of FMNA, DOES 1-25, and each of their violations
4 of public policy, and by virtue of their acts of harassment, retaliation and disparate treatment
5 resulting in Plaintiff's constructive termination, among other things, as hereinabove alleged,
6 Plaintiff has been damaged thereby in a sum according to proof with interest thereon at the legal rate
7 allowed, in an amount in excess of the jurisdictional minimum of this Court.

8 30. As a further direct and proximate result of FMNA, DOES 1-25, and each of their
9 willful, knowing and intentional violations of public policy and acts of harassment, retaliation and
10 disparate treatment resulting in Plaintiff's constructive termination, among other things, as more
11 fully described hereinabove, Plaintiff has suffered and will continue to suffer extreme and severe
12 physical and mental anguish and emotional distress; she has incurred, and will continue to incur
13 medical expenses for treatment by health professionals, and for other incidental expenses; and she
14 has suffered and will continue to suffer a loss of earnings and other employment benefits and job
15 opportunities. Plaintiff is thereby entitled to general and compensatory damages in amounts to be
16 proved at trial.

17 31. As a further direct and proximate result of FMNA, DOES 1-25, and each of their
18 violations of Government Code sections 12940 (a), (h) and (j), as more fully set forth hereinabove,
19 Plaintiff has been compelled to retain the services of counsel in an effort to enforce the terms and
20 conditions of her employment relationship with FMNA, DOES 1-25, and each of them, and has
21 thereby incurred, and will continue to incur, legal fees and costs. Plaintiff requests that attorney
22 fees and expert witness fees be awarded pursuant to Government Code section 12965.

23 32. Plaintiff is informed, believes, and thereon alleges that the outrageous conduct of
24 FMNA, DOES 1-25, and each of them, as more fully set forth hereinabove, was done with fraud,
25 oppression, and malice, and with a conscious disregard for Plaintiff's rights, and with the intent,
26 design, and purpose of injuring her. Plaintiff is further informed, believes, and thereon alleges that

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1 Defendants, and each of them, through their officers, managing agents and/or their supervisors,
2 authorized, condoned and/or ratified the unlawful conduct. By reason thereof, Plaintiff is entitled to
3 punitive or exemplary damages from each Defendant in a sum according to proof at the time of trial.

4 **SECOND CAUSE OF ACTION**
5 **WRONGFUL RETALIATION**
6 **(VIOLATION OF PUBLIC POLICY AND GOVERNMENT**
7 **CODE SECTION 12940 (h))**
8 ***(Against FMNA And DOES 1-25, Inclusive)***

9 33. Plaintiff refers to paragraphs 1 through 20 and paragraphs 22 through 32, and
10 incorporates those paragraphs here by said reference as though fully set forth in this section.

11 34. Government Code section 12940 (h) embodies fundamental, substantial, and well
12 established public policies of the State of California. FMNA, DOES 1-25, and each of them,
13 violated the fundamental, substantial, and well-established public policies embodied in Government
14 Code section 12940 (h) by retaliating against Plaintiff because she opposed the aforementioned
15 wrongful acts forbidden under Government Code section 12940 (h).

16 35. Plaintiff is informed, believes, and thereon alleges that in addition to the practices
17 enumerated above, FMNA, DOES 1-25, and each of them, have engaged in other practices in
18 violation of the Fair Employment and Housing Act, including Government Code section 12940,
19 which are not yet fully known. At such time as said practices become known to her, Plaintiff will
20 seek leave of Court to amend this Complaint in that regard.

21 36. Plaintiff filed a complaint with the DFEH against Defendants, and each of them. The
22 DFEH issued Plaintiff a Right to Sue letter authorizing this lawsuit. (See **EXHIBIT A.**)

23 37. As a direct and proximate result of FMNA, DOES 1-25, and each of their violations
24 of public policy, and by virtue of their acts of retaliation, among other things, as hereinabove
25 alleged, Plaintiff has been damaged thereby in a sum according to proof with interest thereon at the
26 legal rate allowed, in an amount in excess of the jurisdictional minimum of this Court.

27 38. As a further direct and proximate result of FMNA, DOES 1-25, and each of their
28 willful, knowing and intentional violations of public policy and acts of retaliation, among other
things, as more fully described hereinabove, Plaintiff has suffered and will continue to suffer
extreme and severe physical and mental anguish and emotional distress; she has incurred, and will

1 continue to incur medical expenses for treatment by health professionals, and for other incidental
2 expenses; and she has suffered and will continue to suffer a loss of earnings and other employment
3 benefits and job opportunities. Plaintiff is thereby entitled to general and compensatory damages in
4 amounts to be proved at trial.

5 39. As a further direct and proximate result of FMNA, DOES 1-25, and each of their
6 violations of Government Code sections 12940 (h), as more fully set forth hereinabove, Plaintiff has
7 been compelled to retain the services of counsel in an effort to enforce the terms and conditions of
8 her employment relationship with FMNA, DOES 1-25, and each of them, and has thereby incurred,
9 and will continue to incur, legal fees and costs. Plaintiff requests that attorney fees and expert
10 witness fees be awarded pursuant to Government Code section 12965.

11 40. Plaintiff is informed, believes, and thereon alleges that the outrageous conduct of
12 FMNA, DOES 1-25, and each of them, as more fully set forth hereinabove, was done with fraud,
13 oppression, and malice, and with a conscious disregard for Plaintiff's rights, and with the intent,
14 design, and purpose of injuring her. Plaintiff is further informed, believes, and thereon alleges that
15 Defendants, and each of them, through their officers, managing agents and/or their supervisors,
16 authorized, condoned and/or ratified the unlawful conduct. By reason thereof, Plaintiff is entitled to
17 punitive or exemplary damages from each Defendant in a sum according to proof at the time of trial.

18 **THIRD CAUSE OF ACTION**
19 **WRONGFUL HARASSMENT**
20 **(VIOLATION OF PUBLIC POLICY AND GOVERNMENT**
21 **CODE SECTIONS 12940 (j) And (k))**
22 **(Against FMNA, Richards, Sandler, And DOES 1-25, inclusive)**

23 41. Plaintiff refers to paragraphs 1 through 20, paragraphs 22 through 32 and paragraphs
24 34 through 40, hereinabove, and incorporates those paragraphs here by said reference as though
25 fully set forth in this section.

26 42. Government Code section 12940 (j) embodies fundamental, substantial, and well-
27 established public policies of the State of California. FMNA, Richards, Sandler, DOES 1-25, and
28 each of them, violated the fundamental, substantial, and well-established public policies embodied

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1 in Government Code section 12940 (j) by harassing Plaintiffs because of her sex or gender, and by
2 exhibiting favoritism towards another model with an intimate relationship with the producer, as
3 more fully set forth hereinabove.

4 43. Government Code section 12940 (j) (3) embodies fundamental, substantial, and well-
5 established public policies of the State of California. Defendants Richards and Sandler, as
6 employees of FMNA, and DOES 1-25, are personally liable for any harassment prohibited by this
7 section. Richards, Sandler, are therefore personally responsible to Plaintiff for their individual acts
8 of harassment against her. As Producers of TPIR, Defendants Richards and Sandler are also
9 “supervisors” as defined under Government Code section 12926(r).

10 44. Plaintiff is informed, believes, and thereon alleges that in addition to the practices
11 enumerated above, FMNA, DOES 1-25, and each of them, have engaged in other practices in
12 violation of the Fair Employment and Housing Act, including Government Code section 12940,
13 which are not yet fully known. At such time as said practices become known to her, Plaintiff will
14 seek leave of Court to amend this Complaint in that regard.

15 45. Plaintiff filed a complaint with the DFEH against Defendants, and each of them. The
16 DFEH issued Plaintiff a Right to Sue letter authorizing this lawsuit. (See **EXHIBIT A.**)

17 46. As a direct and proximate result of FMNA, Richards, Sandler, DOES 1-25, and each
18 of their violations of public policy, and by virtue of their acts of harassment, among other things, as
19 hereinabove alleged, Plaintiff has been damaged thereby in a sum according to proof with interest
20 thereon at the legal rate allowed, in an amount in excess of the jurisdictional minimum of this
21 Court.

22 47. As a further direct and proximate result of FMNA, Richards, Sandler, DOES 1-25,
23 and each of their willful, knowing and intentional violations of public policy and acts of harassment,
24 among other things, as more fully described hereinabove, Plaintiff has suffered and will continue to
25 suffer extreme and severe physical and mental anguish and emotional distress; she has incurred, and
26 will continue to incur medical expenses for treatment by health professionals, and for other

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1 incidental expenses; and she has suffered and will continue to suffer a loss of earnings and other
2 employment benefits and job opportunities. Plaintiff is thereby entitled to general and
3 compensatory damages in amounts to be proved at trial.

4 48. As a further direct and proximate result of FMNA, Richards, Sandler, DOES 1-25,
5 and each of their violations of Government Code sections 12940 (h), as more fully set forth
6 hereinabove, Plaintiff has been compelled to retain the services of counsel in an effort to enforce the
7 terms and conditions of her employment relationship with FMNA, DOES 1-25, and each of them,
8 and has thereby incurred, and will continue to incur, legal fees and costs. Plaintiff requests that
9 attorney fees and expert witness fees be awarded pursuant to Government Code section 12965.

10 49. Plaintiff is informed, believes, and thereon alleges that the outrageous conduct of
11 FMNA, Richards, Sandler, DOES 1-25, and each of them, as more fully set forth hereinabove, was
12 done with fraud, oppression, and malice, and with a conscious disregard for Plaintiff's rights, and
13 with the intent, design, and purpose of injuring her. Plaintiff is further informed, believes, and
14 thereon alleges that Defendants, and each of them, through their officers, managing agents and/or
15 their supervisors, authorized, condoned and/or ratified the unlawful conduct. By reason thereof,
16 Plaintiff is entitled to punitive or exemplary damages from each Defendant in a sum according to
17 proof at the time of trial.

18 **FOURTH CAUSE OF ACTION**
19 **FAILURE TO PREVENT HARASSMENT AND DISCRIMINATION**
20 **(VIOLATION OF GOVERNMENT CODE SECTIONS 12940 (j) And (k))**
(Against FMNA And DOES 1-25, inclusive)

21 50. Plaintiff refers to 1 through 20, paragraphs 22 through 32, paragraphs 34 through 40
22 and paragraphs 42 through 49, hereinabove, and incorporates those paragraphs here by said
23 reference as though fully set forth in this section.

24 51. Government Code section 12940 (j) embodies fundamental, substantial, and well-
25 established public policies of the State of California. FMNA, DOES 1-25, and each of them,
26 violated the fundamental, substantial, and well-established public policies embodied in Government

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1 Code section 12940 (j) by failing to take all reasonable steps to prevent harassment from occurring
2 in the workplace, as more fully set forth hereinabove. As Producers of TPIR, Defendants Richards
3 and Sandler are also “supervisors” as defined under Government Code section 12926(r).

4 52. Government Code section 12940 (k) embodies fundamental, substantial, and well-
5 established public policies of the State of California. Defendants FMNA, DOES 1-25, and each of
6 them, violated the fundamental, substantial, and well-established public policies embodied in
7 Government Code section 12940 (k) by failing to take all reasonable steps to prevent discrimination
8 and harassment from occurring, as more fully set forth hereinabove.

9 53. Plaintiff is informed, believes, and thereon alleges that in addition to the practices
10 enumerated above, FMNA, DOES 1-25, and each of them, have engaged in other practices in
11 violation of the Fair Employment and Housing Act, including Government Code section 12940,
12 which are not yet fully known. At such time as said practices become known to her, Plaintiff will
13 seek leave of Court to amend this Complaint in that regard.

14 54. Plaintiff filed a complaint with the DFEH against Defendants, and each of them. The
15 DFEH issued Plaintiff a Right to Sue letter authorizing this lawsuit. (See **EXHIBIT A**.)

16 55. As a direct and proximate result of FMNA, DOES 1-25, and each of their violations
17 of public policy, and by virtue of their failure to take reasonable steps to prevent harassment and
18 discrimination from occurring, among other things, as hereinabove alleged, Plaintiff has been
19 damaged thereby in a sum according to proof with interest thereon at the legal rate allowed, in an
20 amount in excess of the jurisdictional minimum of this Court.

21 56. As a further direct and proximate result of FMNA, DOES 1-25, and each of their
22 willful, knowing and intentional failure to take reasonable steps to prevent harassment and
23 discrimination from occurring, among other things, as more fully described hereinabove, Plaintiff
24 has suffered and will continue to suffer extreme and severe physical and mental anguish and
25 emotional distress; she has incurred, and will continue to incur medical expenses for treatment by
26 health professionals, and for other incidental expenses; and she has suffered and will continue to
27 suffer a loss of earnings and other employment benefits and job opportunities. Plaintiff is thereby
28 entitled to general and compensatory damages in amounts to be proved at trial.

57. As a further direct and proximate result of FMNA, DOES 1-25, and each of their violations of Government Code sections 12940 (j) and (k), as more fully set forth hereinabove, Plaintiff has been compelled to retain the services of counsel in an effort to enforce the terms and conditions of her employment relationship with FMNA, DOES 1-25, and each of them, and has thereby incurred, and will continue to incur, legal fees and costs. Plaintiff requests that attorney fees and expert witness fees be awarded pursuant to Government Code section 12965.

FIFTH CAUSE OF ACTION
FALSE IMPRISONMENT
(Against FMNA, Sandler, And DOES 1-25, inclusive)

58. Plaintiff refers to paragraphs 1 through 20, paragraphs 22 through 32, paragraphs 34 through 40 and paragraphs 42 through 57, hereinabove, and incorporates those paragraphs here by said reference as though fully set forth in this section.

59. On or about September 20, 2010, as more fully described above, Defendant Sandler marched through the door of the women's dressing while Plaintiff was nude, ignoring the posted sign which read "KNOCK BEFORE ENTERING." At that time, Defendant Sandler stood physically in front of Plaintiff, between her and the door, and verbally berated her while his eyes were free to look at her exposed breasts and body. Plaintiff's movement at that time was restricted by Defendant Sandler, such that she was unable to exit the women's dressing room during his tirade, and did not regain freedom of movement until Sandler left the dressing room.

60. Immediately prior to the Defendant Sandler's wrongful acts, as described within, Plaintiff had been changing costumes peacefully in the dressing room designated by TPIR for her use. Plaintiff had not committed any crime against Defendant Sandler or anyone else, and Defendant Sandler knew of same.

61. As a direct and proximate result of FMNA, Sandler, DOES 1-25, and each of their false imprisonment of Plaintiff, among other things, as hereinabove alleged, Plaintiff has been damaged thereby in a sum according to proof with interest thereon at the legal rate allowed, in an amount in excess of the jurisdictional minimum of this Court.

62. As a further direct and proximate result of FMNA, Sandler, DOES 1-25, and each of their willful, knowing and intentional false imprisonment, , as more fully described hereinabove,

1 Plaintiff has suffered and will continue to suffer extreme and severe physical and mental anguish and
2 emotional distress; she has incurred, and will continue to incur medical expenses for treatment by
3 health professionals, and for other incidental expenses; and she has suffered and will continue to
4 suffer a loss of earnings and other employment benefits and job opportunities. Plaintiff is thereby
5 entitled to general and compensatory damages in amounts to be proved at trial.

6 63. Plaintiff is informed, believes, and thereon alleges that the outrageous conduct of
7 FMNA, Sandler, DOES 1-25, and each of them, as more fully set forth hereinabove, was done with
8 fraud, oppression, and malice, and with a conscious disregard for Plaintiff's rights, and with the
9 intent, design, and purpose of injuring her. Plaintiff is further informed, believes, and thereon
10 alleges that Defendants, and each of them, through their officers, managing agents and/or their
11 supervisors, authorized, condoned and/or ratified the unlawful conduct. By reason thereof, Plaintiff
12 is entitled to punitive or exemplary damages from each Defendant in a sum according to proof at the
13 time of trial.

14 **SIXTH CAUSE OF ACTION**
15 **INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**
(Against FMNA, Richards, Sandler, And DOES 1-25, inclusive)

16 64. Plaintiff refers to paragraphs 1 through 20, paragraphs 22 through 32, paragraphs 34
17 through 40, paragraphs 42 through 57 and paragraphs 59 through 63, above, and incorporates
18 those paragraphs here by said reference as though fully set forth in this section.

19 65. Defendants FMNA, Richards, Sandler, and DOES 1-25, and each of their actions, as
20 hereinabove alleged, were done intentionally and maliciously and done for the purpose of causing
21 plaintiff to suffer humiliation, mental anguish, and emotional and physical distress. Defendants, and
22 each of their, conduct in harassing, retaliating, discriminating against and imprisoning Plaintiff,
23 among other things, constitutes conduct which was done with knowledge that Plaintiff's emotional
24 and physical distress would thereby increase, and was done with a wanton and reckless disregard of
25 the consequences to Plaintiff.

26 66. As a direct and proximate result of FMNA, Richards, Sandler, and DOES 1-25, and
27 each of their intentional infliction of emotional distress, as hereinabove alleged, Plaintiff has been

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1 damaged thereby in a sum according to proof with interest thereon at the legal rate allowed, in an
2 amount in excess of the jurisdictional minimum of this Court.

3 67. As a further direct and proximate result of FMNA, Richards, Sandler, and DOES 1-
4 25, and each of their willful, knowing and intentional infliction of emotional distress, as more fully
5 described hereinabove, Plaintiff has suffered and will continue to suffer extreme and severe physical
6 and mental anguish and emotional distress; she has incurred, and will continue to incur medical
7 expenses for treatment by health professionals, and for other incidental expenses; and she has
8 suffered and will continue to suffer a loss of earnings and other employment benefits and job
9 opportunities. Plaintiff is thereby entitled to general and compensatory damages in amounts to be
10 proved at trial.

11 68. Plaintiff is informed, believes, and thereon alleges that the outrageous conduct of
12 FMNA, Richards, Sandler, and DOES 1-25, and each of them, as more fully set forth hereinabove,
13 was done with fraud, oppression, and malice, and with a conscious disregard for Plaintiff's rights,
14 and with the intent, design, and purpose of injuring her. Plaintiff is further informed, believes, and
15 thereon alleges that Defendants, and each of them, through their officers, managing agents and/or
16 their supervisors, authorized, condoned and/or ratified the unlawful conduct. By reason thereof,
17 Plaintiff is entitled to punitive or exemplary damages from each Defendant in a sum according to
18 proof at the time of trial.

19 **SEVENTH CAUSE OF ACTION**
20 **NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**
(Against FMNA, Richards, Sandler, And DOES 1-25, inclusive)

21 69. Plaintiff refers to paragraphs 1 through 20, paragraphs 22 through 32, paragraphs 34
22 through 40, paragraphs 42 through 57, paragraphs 59 through 63 and paragraphs 65 through 68,
23 above, and incorporates those paragraphs here by said reference as though fully set forth in this
24 section.

25 70. Defendants FMNA, Richards, Sandler, and DOES 1-25, and each of them, knew or
26 should have known that their conduct as hereinabove alleged would cause Plaintiff severe emotional
27 distress, and in fact did cause Plaintiff to suffer humiliation, shame, anxiety and emotional distress as
28 a result of Defendants', and each of their negligent conduct.

1 71. As a direct and proximate result of FMNA, Richards, Sandler, and DOES 1-25, and
2 each of their negligent infliction of emotional distress, as hereinabove alleged, Plaintiff has been
3 damaged thereby in a sum according to proof with interest thereon at the legal rate allowed, in an
4 amount in excess of the jurisdictional minimum of this Court.

5 72. As a further direct and proximate result of FMNA, Richards, Sandler, and DOES 1-
6 25, and each of their negligent infliction of emotional distress, as more fully described hereinabove,
7 Plaintiff has suffered and will continue to suffer extreme and severe physical and mental anguish and
8 emotional distress; she has incurred, and will continue to incur medical expenses for treatment by
9 health professionals, and for other incidental expenses; and she has suffered and will continue to
10 suffer a loss of earnings and other employment benefits and job opportunities. Plaintiff is thereby
11 entitled to general and compensatory damages in amounts to be proved at trial.

12 WHEREFORE, Plaintiff prays that judgment be entered in his favor and against Defendants,
13 and each of them, as follows:

14 **As to the First Cause of Action:**

15 1. For general and special damages according to proof at trial, with interest thereon at
16 the legal rate from the date of the damages;

17 2. For incidental and coincidental damages according to proof at trial;

18 3. For punitive and exemplary damages according to proof at trial;

19 4. For costs of suit and interest incurred, including reasonable attorney and expert
20 witness fees;

21 **As to the Second Cause of Action:**

22 1. For general and special damages according to proof at trial, with interest thereon at
23 the legal rate from the date of the damages;

24 2. For incidental and coincidental damages according to proof at trial;

25 3. For punitive and exemplary damages according to proof at trial;

26 4. For costs of suit and interest incurred, including reasonable attorney and expert
27 witness fees; and

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1 **As to the Third Cause of Action:**

- 2 1. For general and special damages according to proof at trial, with interest thereon at
3 the legal rate from the date of the damages;
- 4 2. For incidental and coincidental damages according to proof at trial;
- 5 3. For punitive and exemplary damages according to proof at trial;
- 6 4. For costs of suit and interest incurred, including reasonable attorney and expert
7 witness fees; and

8 **As to the Fourth Cause of Action:**

- 9 1. For general and special damages according to proof at trial, with interest thereon at
10 the legal rate from the date of the damages;
- 11 2. For incidental and coincidental damages according to proof at trial;
- 12 3. For costs of suit and interest incurred, including reasonable attorney and expert
13 witness fees; and

14 **As to the Fifth Cause of Action:**

- 15 1. For general and special damages according to proof at trial, with interest thereon at
16 the legal rate from the date of the damages;
- 17 2. For incidental and coincidental damages according to proof at trial;
- 18 3. For punitive and exemplary damages according to proof at trial;
- 19 4. For costs of suit and interest incurred; and

20 **As to the Sixth Cause of Action:**

- 21 1. For general and special damages according to proof at trial, with interest thereon at
22 the legal rate from the date of the damages;
- 23 2. For incidental and coincidental damages according to proof at trial;
- 24 3. For punitive and exemplary damages according to proof at trial;
- 25 4. For costs of suit and interest incurred;

26 ///

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1 As to the Seventh Cause of Action:

- 2 1. For general and special damages according to proof at trial, with interest thereon at
3 the legal rate from the date of the damages;
4 2. For incidental and coincidental damages according to proof at trial;
5 3. For costs of suit and interest incurred; and

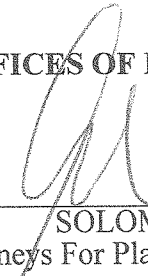
6 As to the All Causes of Action:

- 7 1. For such other and further relief as the Court may deem just and proper.
8

9 Dated: September 6, 2011

LAW OFFICES OF RHEUBAN & GRESEN

10
11 By



SOLOMON E. GRESEN
Attorneys For Plaintiff Lanisha Cole

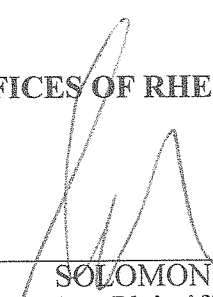
DEMAND FOR JURY TRIAL

Plaintiff hereby demands his constitutional right to a trial by jury.

Dated: September 6, 2011

LAW OFFICES OF RHEUBAN & GRESEN

By



SOLOMON E. GRESEN
Attorneys For Plaintiff Lanisha Cole

EXHIBIT A

**DEPARTMENT OF FAIR EMPLOYMENT & HOUSING**

(800) 884-1684 | Videophone for the DEAF (916) 226-5285
www.dfeh.ca.gov | email: contact.center@dfeh.ca.gov

DIRECTOR PHYLLIS W. CHENG

June 24, 2011

CANISHA COLE
15910 Ventura Blvd. Ste 1610
Los Angeles, CA 91436-8187

RE: E201011T0623-00-sc
COLE/PRICE IS RIGHT/FREEMANTLE MEDIA/CBS

Dear CANISHA COLE:

NOTICE OF CASE CLOSURE

This letter informs that the above-referenced complaint that was filed with the Department of Fair Employment and Housing (DFEH) has been closed effective May 12, 2011 because an immediate right-to-sue notice was requested. DFEH will take no further action on the complaint.

This letter is also the Right-To-Sue Notice. According to Government Code section 12965, subdivision (b), a civil action may be brought under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The civil action must be filed within one year from the date of this letter.

If a federal notice of Right-To-Sue is wanted, the U.S. Equal Employment Opportunity Commission (EEOC) must be visited to file a complaint within 30 days of receipt of this DFEH *Notice of Case Closure* or within 300 days of the alleged discriminatory act, whichever is earlier.

HEADQUARTERS

2218 Kausen Drive
Suite 100
Elk Grove, CA 95758
(916) 478-7251

BAKERSFIELD

4800 Stockdale Highway
Suite 215
Bakersfield, CA 93309
(661) 395-2729

FRESNO

1277 E. Alluvial Avenue
Suite 101
Fresno, CA 93720
(559) 244-4760

LOS ANGELES

1055 West 7th Street
Suite 1400
Los Angeles, CA 90017
(213) 439-6799

OAKLAND

1515 Clay Street
Suite 701
Oakland, CA 94612
(510) 622-2941

SAN JOSE

2570 N. First Street
Suite 480
San Jose, CA 95131
(408) 325-0344

*** EMPLOYMENT ***

**COMPLAINT OF DISCRIMINATION UNDER
THE PROVISIONS OF THE CALIFORNIA
FAIR EMPLOYMENT AND HOUSING ACT**

DFEH # B-20704-T-0623-LU-SC

DFEH USE ONLY

CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

YOUR NAME (indicate Mr. or Ms.)

LANISHA COLE

TELEPHONE NUMBER (INCLUDE AREA CODE)

ADDRESS

010 RHEUBAN & GREN 15910 VENTURA BL., Ste 1010

CITY/STATE/ZIP

Los Angeles

Ca.

COUNTY

COUNTY CODE

NAMED IS THE EMPLOYER, PERSON, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, OR STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME:

NAME PRICE IS RIGHT / FREMANTLE MEDIA / CBS

TELEPHONE NUMBER (Include Area Code)

ADDRESS 7800 BEVERLY BLVD LOS ANGELES CA.

DFEH USE ONLY

CITY/STATE/ZIP

LOS ANGELES CA.

COUNTY

COUNTY CODE

NO. OF EMPLOYEES/MEMBERS (if known)

DATE MOST RECENT OR CONTINUING DISCRIMINATION
TOOK PLACE (month, day, and year)

RESPONDENT CODE

THE PARTICULARS ARE:

I allege that on 11/09-12/10, the
following conduct occurred:

- | | | |
|---|--|--|
| ☒ termination | ☐ denial of employment | ☐ denial of family or medical leave |
| ☐ lay-off | ☐ denial of promotion | ☐ denial of pregnancy leave |
| ☐ demotion | ☐ denial of transfer | ☐ denial of equal pay |
| ☒ harassment | ☒ denial of accommodation | ☐ denial of right to wear pants |
| ☐ genetic characteristics testing | ☐ failure to prevent discrimination or retaliation | ☐ denial of pregnancy accommodation |
| ☒ constructive discharge (forced to quit) | ☒ retaliation | |
| ☐ impermissible non-job-related inquiry | ☒ other (specify) <u>interactive process</u> | |

by adam Sandler (producer/ stage manager), Mike Richards (exec. producer)
Name of Person Job Title (supervisor/manager/personnel director/etc.)

and others

because of:

- | | | | |
|--|--|---|---|
| ☒ sex | ☐ national origin/ancestry | ☐ disability (physical or mental) | ☒ retaliation for engaging in protected |
| ☐ age | ☒ marital status | ☒ medical condition (cancer | activity or requesting a protected |
| ☐ religion | ☐ sexual orientation | or genetic characteristic) | leave or accommodation |
| ☒ race/color | ☐ association | ☐ other (specify) | |

State what you
believe to be the
reason(s) for
discrimination

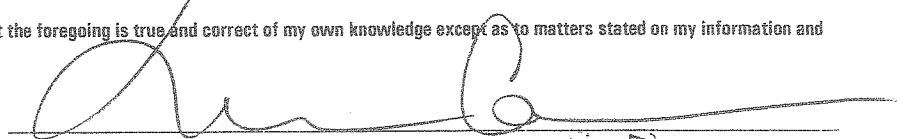
Sex, Race/color, marital status, medical condition, retaliation
for engaging in protected activities

I wish to pursue this matter in court. I hereby request that the Department of Fair Employment and Housing provide a right-to-sue notice. I understand that if I want a federal notice of right-to-sue, I must visit the U.S. Equal Employment Opportunity Commission (EEOC) to file a complaint within 30 days of receipt of the DFEH "Notice of Case Closure," or within 300 days of the alleged discriminatory act, whichever is earlier.

I have not been coerced into making this request, nor do I make it based on fear of retaliation if I do not do so. I understand it is the Department of Fair Employment and Housing's policy to not process or reopen a complaint once the complaint has been closed on the basis of "Complainant Elected Court Action."

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct of my own knowledge except as to matters stated on my information and belief, and as to those matters I believe it to be true.

Dated 5-4-11



COMPLAINANT'S SIGNATURE

At PNCINO

City

DATE FILED:

5/12/11

DFEH-300-03 (04/08)

DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

RECEIVED
MAY 12 2011
OFFICE OF FAIR EMPLOYMENT AND HOUSING
SANTA ANA DISTRICT OFFICE

STATE OF CALIFORNIA

SHORT TITLE:

Cole v. Richards, Sandler, et al.

CASE NUMBER

**CIVIL CASE COVER SHEET ADDENDUM AND
STATEMENT OF LOCATION
(CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)**

This form is required pursuant to Local Rule 2.0 in all new civil case filings in the Los Angeles Superior Court.

Item I. Check the types of hearing and fill in the estimated length of hearing expected for this case:

JURY TRIAL? ☒ YES CLASS ACTION? ☐ YES LIMITED CASE? ☐ YES TIME ESTIMATED FOR TRIAL 7-14 ☐ HOURS/ ☒ DAYS

Item II. Indicate the correct district and courthouse location (4 steps – If you checked “Limited Case”, skip to Item III, Pg. 4):

Step 1: After first completing the Civil Case Cover Sheet form, find the main Civil Case Cover Sheet heading for your case in the left margin below, and, to the right in Column **A**, the Civil Case Cover Sheet case type you selected.

Step 2: Check one Superior Court type of action in Column **B** below which best describes the nature of this case.

Step 3: In Column **C**, circle the reason for the court location choice that applies to the type of action you have checked. For any exception to the court location, see Local Rule 2.0.

Applicable Reasons for Choosing Courthouse Location (see Column C below)

- | | |
|---|---|
| <ol style="list-style-type: none"> 1. Class actions must be filed in the Stanley Mosk Courthouse, central district. 2. May be filed in central (other county, or no bodily injury/property damage). 3. Location where cause of action arose. 4. Location where bodily injury, death or damage occurred. 5. Location where performance required or defendant resides. | <ol style="list-style-type: none"> 6. Location of property or permanently garaged vehicle. 7. Location where petitioner resides. 8. Location wherein defendant/respondent functions wholly. 9. Location where one or more of the parties reside. 10. Location of Labor Commissioner Office |
|---|---|

Step 4: Fill in the information requested on page 4 in Item III; complete Item IV. Sign the declaration.

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Auto Tort	Auto (22)	☐ A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1., 2., 4.
	Uninsured Motorist (46)	☐ A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist	1., 2., 4.
Other Personal Injury/ Property Damage/ Wrongful Death Tort	Asbestos (04)	☐ A6070 Asbestos Property Damage ☐ A7221 Asbestos - Personal Injury/Wrongful Death	2. 2.
	Product Liability (24)	☐ A7260 Product Liability (not asbestos or toxic/environmental)	1., 2., 3., 4., 8.
	Medical Malpractice (45)	☐ A7210 Medical Malpractice - Physicians & Surgeons ☐ A7240 Other Professional Health Care Malpractice	1., 4. 1., 4.
	Other Personal Injury Property Damage Wrongful Death (23)	☐ A7250 Premises Liability (e.g., slip and fall)	1., 4.
		☐ A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.)	1., 4.
		☐ A7270 Intentional Infliction of Emotional Distress	1., 3.
		☐ A7220 Other Personal Injury/Property Damage/Wrongful Death	1., 4.

SHORT TITLE:

Cole v. Richards, Sandler, et al.

CASE NUMBER

Non-Personal Injury/ Property
Damage/ Wrongful Death Tort

Employment

Contract

Real Property

Unlawful Detainer

A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Business Tort (07)	☐ A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1., 3.
Civil Rights (08)	☐ A6005 Civil Rights/Discrimination	1., 2., 3.
Defamation (13)	☐ A6010 Defamation (slander/libel)	1., 2., 3.
Fraud (16)	☐ A6013 Fraud (no contract)	1., 2., 3.
Professional Negligence (25)	☐ A6017 Legal Malpractice ☐ A6050 Other Professional Malpractice (not medical or legal)	1., 2., 3. 1., 2., 3.
Other (35)	☐ A6025 Other Non-Personal Injury/Property Damage tort	2., 3.
Wrongful Termination (36)	☒ A6037 Wrongful Termination	1., 2., 3.
Other Employment (15)	☐ A6024 Other Employment Complaint Case ☐ A6109 Labor Commissioner Appeals	1., 2., 3. 10.
Breach of Contract/ Warranty (06) (not insurance)	☐ A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction) ☐ A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence) ☐ A6019 Negligent Breach of Contract/Warranty (no fraud) ☐ A6028 Other Breach of Contract/Warranty (not fraud or negligence)	2., 5. 2., 5. 1., 2., 5. 1., 2., 5.
Collections (09)	☐ A6002 Collections Case-Seller Plaintiff ☐ A6012 Other Promissory Note/Collections Case	2., 5., 6. 2., 5.
Insurance Coverage (18)	☐ A6015 Insurance Coverage (not complex)	1., 2., 5., 8.
Other Contract (37)	☐ A6009 Contractual Fraud ☐ A6031 Tortious Interference ☐ A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)	1., 2., 3., 5. 1., 2., 3., 5. 1., 2., 3., 8.
Eminent Domain/Inverse Condemnation (14)	☐ A7300 Eminent Domain/Condemnation Number of parcels_____	2.
Wrongful Eviction (33)	☐ A6023 Wrongful Eviction Case	2., 6.
Other Real Property (26)	☐ A6018 Mortgage Foreclosure ☐ A6032 Quiet Title ☐ A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2., 6. 2., 6. 2., 6.
Unlawful Detainer-Commercial (31)	☐ A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	2., 6.
Unlawful Detainer-Residential (32)	☐ A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	2., 6.
Unlawful Detainer- Post-Foreclosure (34)	☐ A6020F Unlawful Detainer-Post-Foreclosure	2., 6.
Unlawful Detainer-Drugs (38)	☐ A6022 Unlawful Detainer-Drugs	2., 6.

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	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above		
Judicial Review	Asset Forfeiture (05)	☐ A6108 Asset Forfeiture Case	2., 6.		
	Petition re Arbitration (11)	☐ A6115 Petition to Compel/Confirm/Vacate Arbitration	2., 5.		
	Writ of Mandate (02)	☐ A6151 Writ - Administrative Mandamus ☐ A6152 Writ - Mandamus on Limited Court Case Matter ☐ A6153 Writ - Other Limited Court Case Review	2., 8. 2. 2.		
	Other Judicial Review (39)	☐ A6150 Other Writ /Judicial Review	2., 8.		
Provisionally Complex Litigation	Antitrust/Trade Regulation (03)	☐ A6003 Antitrust/Trade Regulation	1., 2., 8.		
	Construction Defect (10)	☐ A6007 Construction Defect	1., 2., 3.		
	Claims Involving Mass Tort (40)	☐ A6006 Claims Involving Mass Tort	1., 2., 8.		
	Securities Litigation (28)	☐ A6035 Securities Litigation Case	1., 2., 8.		
	Toxic Tort Environmental (30)	☐ A6036 Toxic Tort/Environmental	1., 2., 3., 8.		
	Insurance Coverage Claims from Complex Case (41)	☐ A6014 Insurance Coverage/Subrogation (complex case only)	1., 2., 5., 8.		
Enforcement of Judgment	Enforcement of Judgment (20)	☐ A6141 Sister State Judgment ☐ A6160 Abstract of Judgment ☐ A6107 Confession of Judgment (non-domestic relations) ☐ A6140 Administrative Agency Award (not unpaid taxes) ☐ A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax ☐ A6112 Other Enforcement of Judgment Case	2., 9. 2., 6. 2., 9. 2., 8. 2., 8. 2., 8., 9.		
	RICO (27)	☐ A6033 Racketeering (RICO) Case	1., 2., 8.		
	Miscellaneous Civil Complaints	Other Complaints (Not Specified Above) (42)	☐ A6030 Declaratory Relief Only ☐ A6040 Injunctive Relief Only (not domestic/harassment) ☐ A6011 Other Commercial Complaint Case (non-tort/non-complex) ☐ A6000 Other Civil Complaint (non-tort/non-complex)	1., 2., 8. 2., 8. 1., 2., 8. 1., 2., 8.	
		Partnership Corporation Governance (21)	☐ A6113 Partnership and Corporate Governance Case	2., 8.	
		Miscellaneous Civil Petitions	Other Petitions (Not Specified Above) (43)	☐ A6121 Civil Harassment ☐ A6123 Workplace Harassment ☐ A6124 Elder/Dependent Adult Abuse Case ☐ A6190 Election Contest ☐ A6110 Petition for Change of Name ☐ A6170 Petition for Relief from Late Claim Law ☐ A6100 Other Civil Petition	2., 3., 9. 2., 3., 9. 2., 3., 9. 2. 2., 7. 2., 3., 4., 8. 2., 9.

SHORT TITLE:

Cole v. Richards, Sandler, et al.

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Item III. Statement of Location: Enter the address of the accident, party's residence or place of business, performance, or other circumstance indicated in Item II., **Step 3** on Page 1, as the proper reason for filing in the court location you selected.

REASON: Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected for this case. ☐ 1. ☒ 2. ☐ 3. ☐ 4. ☐ 5. ☐ 6. ☐ 7. ☐ 8. ☐ 9. ☐ 10.		ADDRESS: 4000 West Alameda Avenue Third Floor
CITY: Burbank	STATE: CA	ZIP CODE: 91505

Item IV. Declaration of Assignment: I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that the above-entitled matter is properly filed for assignment to the Stanley-Mosk courthouse in the Central District of the Superior Court of California, County of Los Angeles [Code Civ. Proc., § 392 et seq., and Local Rule 2.0, subds. (b), (c) and (d)].

Dated: September 6, 2011

(SIGNATURE OF ATTORNEY/FILING PARTY)

PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet, Judicial Council form CM-010.
4. Civil Case Cover Sheet Addendum and Statement of Location form, LACIV 109, LASC Approved 03-04 (Rev. 03/11).
5. Payment in full of the filing fee, unless fees have been waived.
6. A signed order appointing the Guardian ad Litem, Judicial Council form CIV-010, if the plaintiff or petitioner is a minor under 18 years of age will be required by Court in order to issue a summons.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.